

**Translation**

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PCT/JP2003/013749



PATENT COOPERATION TREATY

# PCT

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 02-00310WO1	FOR FURTHER ACTION See Form PCT/IPEA/416	
International application No. PCT/JP2003/013749	International filing date (day/month/year) 28 October 2003 (28.10.2003)	Priority date (day/month/year) 31 October 2002 (31.10.2002)
International Patent Classification (IPC) or national classification and IPC H01C 1/14, 1/16, 13/02		
Applicant ROHM CO.,LTD.		

<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>3</u> sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input type="checkbox"/> (sent to the applicant and to the International Bureau) a total of _____ sheets, as follows:</p> <p><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>	
<p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the report</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input type="checkbox"/> Box No. VIII Certain observations on the international application</p>	

Date of submission of the demand 12 February 2004 (12.02.2004)	Date of completion of this report 12 November 2004 (12.11.2004)
Name and mailing address of the IPEA/JP	Authorized officer
Facsimile No.	Telephone No.

# INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2003/013749

## Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

- ☐ This report is based on translations from the original language into the following language \_\_\_\_\_, which is language of a translation furnished for the purpose of:
- ☐ international search (under Rules 12.3 and 23.1(b))
  - ☐ publication of the international application (under Rule 12.4)
  - ☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

- ☒ The international application as originally filed/furnished
- ☐ the description:
- pages \_\_\_\_\_, as originally filed/furnished
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☐ the claims:
- pages \_\_\_\_\_, as originally filed/furnished
- pages\* \_\_\_\_\_, as amended (together with any statement) under Article 19
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☐ the drawings:
- pages \_\_\_\_\_, as originally filed/furnished
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, Nos. \_\_\_\_\_
- ☐ the drawings, sheets/figs \_\_\_\_\_
- ☐ the sequence listing (*specify*): \_\_\_\_\_
- ☐ any table(s) related to sequence listing (*specify*): \_\_\_\_\_

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, Nos. \_\_\_\_\_
- ☐ the drawings, sheets/figs \_\_\_\_\_
- ☐ the sequence listing (*specify*): \_\_\_\_\_
- ☐ any table(s) related to sequence listing (*specify*): \_\_\_\_\_

\* If item 4 applies, some or all of those sheets may be marked "superseded."

# INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP03/13749

**Box No. V** Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

## 1. Statement

Novelty (N)	Claims	1-10	YES
	Claims		NO
Inventive step (IS)	Claims		YES
	Claims	1-10	NO
Industrial applicability (IA)	Claims	1-10	YES
	Claims		NO

## 2. Citations and explanations (Rule 70.7)

### Claims 1-10

Document 1: JP, 9-306710, A (Rohm Co., Ltd.), 28 November, 1997, Full text; all drawings

Document 2: Microfilm of the specification and drawings annexed to the request of Japanese Utility Model Application No. 169603/1988 (Laid-open No. 88206/1990) (Sanyo Electric Co., Ltd.), 12 July, 1990, Full text; all drawings

Document 1 describes making the width of an electrode wider than the distance between two electrodes to prevent cracking, and document 2 describes specifying vertical and width dimensions of a notched formation part to prevent cracking. This is found to be a design in which the distance between electrodes is set so that adjacent electrodes are not connected directly; this examination finds no technical inventive step in measuring these values.



## 第I欄 報告の基礎

1. この国際予備審査報告は、下記に示す場合を除くほか、国際出願の言語を基礎とした。

☐ この報告は、\_\_\_\_\_ 語による翻訳文を基礎とした。

それは、次の目的で提出された翻訳文の言語である。

- ☐ PCT規則12.3及び23.1(b)にいう国際調査  
☐ PCT規則12.4にいう国際公開  
☐ PCT規則55.2又は55.3にいう国際予備審査

2. この報告は下記の出願書類を基礎とした。(法第6条(PCT14条)の規定に基づく命令に応答するために提出された差替え用紙は、この報告において「出願時」とし、この報告に添付していない。)

☒ 出願時の国際出願書類

☐ 明細書

第 \_\_\_\_\_ ページ、出願時に提出されたもの  
 第 \_\_\_\_\_ ページ\*、 \_\_\_\_\_ 付かで国際予備審査機関が受理したもの  
 第 \_\_\_\_\_ ページ\*、 \_\_\_\_\_ 付かで国際予備審査機関が受理したもの

☐ 請求の範囲

第 \_\_\_\_\_ 項、出願時に提出されたもの  
 第 \_\_\_\_\_ 項\*、PCT19条の規定に基づき補正されたもの  
 第 \_\_\_\_\_ 項\*、 \_\_\_\_\_ 付かで国際予備審査機関が受理したもの  
 第 \_\_\_\_\_ 項\*、 \_\_\_\_\_ 付かで国際予備審査機関が受理したもの

☐ 図面

第 \_\_\_\_\_ ページ/図、出願時に提出されたもの  
 第 \_\_\_\_\_ ページ/図\*、 \_\_\_\_\_ 付かで国際予備審査機関が受理したもの  
 第 \_\_\_\_\_ ページ/図\*、 \_\_\_\_\_ 付かで国際予備審査機関が受理したもの

☐ 配列表又は関連するテーブル

配列表に関する補充欄を参照すること。

3. ☐ 補正により、下記の書類が削除された。

☐ 明細書 第 \_\_\_\_\_ ページ  
☐ 請求の範囲 第 \_\_\_\_\_ 項  
☐ 図面 第 \_\_\_\_\_ ページ/図  
☐ 配列表(具体的に記載すること) \_\_\_\_\_  
☐ 配列表に関連するテーブル(具体的に記載すること) \_\_\_\_\_

4. ☐ この報告は、補充欄に示したように、この報告に添付されかつ以下に示した補正が出願時における開示の範囲を超えてされたものと認められるので、その補正がされなかったものとして作成した。(PCT規則70.2(c))

☐ 明細書 第 \_\_\_\_\_ ページ  
☐ 請求の範囲 第 \_\_\_\_\_ 項  
☐ 図面 第 \_\_\_\_\_ ページ/図  
☐ 配列表(具体的に記載すること) \_\_\_\_\_  
☐ 配列表に関連するテーブル(具体的に記載すること) \_\_\_\_\_

\* 4. に該当する場合、その用紙に“superseded”と記入されることがある。

第V欄 新規性、進歩性又は産業上の利用可能性についての法第12条（PCT35条(2)）に定める見解、それを裏付ける文献及び説明

1. 見解

新規性 (N)	請求の範囲	1-10	有 無
	請求の範囲		
進歩性 (IS)	請求の範囲		有 無
	請求の範囲	1-10	
産業上の利用可能性 (IA)	請求の範囲	1-10	有 無
	請求の範囲		

2. 文献及び説明 (PCT規則70.7)

請求項1-10について／

文献1：JP 9-306710 A (ローム株式会社) 1997. 11. 28, 全文, 全図

文献2：日本国実用新案登録出願63-169603号 (日本国実用新案登録出願公開2-88206号) の願書に添付した明細書及び図面の内容を撮影したマイクロフィルム (三洋電機株式会社), 1990. 07. 12, 全文, 全図

文献1にはクラックを防止するために電極の幅を電極間の距離より大きくすることが、文献2にはクラックを防止するために切欠き形成部の縦幅寸法を特定することがそれぞれ記載されており、隣り合う電極同士が半田ブリッジ等で直接接続しないように電極間の距離を設計するものと認められ、これらの値を測定することに技術的進歩性は認められない。